



NEW MEXICO
ENVIRONMENT DEPARTMENT



Surface Water Quality Bureau

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RON CURRY
Secretary
SARAH COTTRELL
Deputy Secretary

October 22, 2010

Mr. Michael Gottlieb, Superintendent
Roswell Independent School District
300 North Kentucky Ave.
Roswell, NM 88202

RE: Construction Storm Water, SIC 1542, NPDES Compliance Evaluation Inspection, Chaves County, Sunset Elementary, NMR10H312, October 8, 2010

Dear Mr. Gottlieb:

Enclosed, please find a copy of the report for the referenced inspection that the New Mexico Environment Department (NMED) conducted at a construction site for which you may be an "operator" (see Appendix A in permit). The NMED conducted this inspection on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas, for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

Problems noted during this inspection are discussed in the checklist section of the inspection report. You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and to modify your operational and/or administrative procedures, as appropriate. Further, you are encouraged to notify in writing both USEPA (Diana McDonald, USEPA (6EN-WT), 1445 Ross Ave, Dallas, Texas, 75202) and NMED (at above address) regarding modifications and compliance schedules.

Thank you for your cooperation during this inspection. If you have any questions, please feel free to contact me at the above address or by telephone at (505) 222-9587.

Sincerely,

/s/ Sarah Holcomb
Sarah Holcomb
Surface Water Quality Bureau

Cc: Marcia Gail Adams, USEPA (6EN-AS) (by e-mail)
Samuel Tates, USEPA (6EN-AS) (by e-mail)
Carol Peters-Wagnon, USEPA (6EN-AS) (by e-mail)
Diana McDonald, USEPA (6EN-AS) (by e-mail)



NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code	NPDES	yr/mo/day	Inspec. Type	Inspector	Fac Type
1 <input type="text" value="N"/> 2 <input type="text" value="5"/> 3 <input type="text" value="N"/> <input type="text" value="M"/> <input type="text" value="R"/> 1 <input type="text" value="0"/> <input type="text" value="H"/> <input type="text" value="3"/> 1 <input type="text" value="2"/> 11 <input type="text" value="1"/> 12 <input type="text" value="1"/> <input type="text" value="0"/> 1 <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="8"/> 17 <input type="text" value="18"/> <input 19="" <input="" type="text" value="S"/> 20 <input type="text" value="2"/>	Remarks				
<input type="text" value="C"/> <input type="text" value="O"/> <input type="text" value="N"/> <input type="text" value="S"/> <input type="text" value="T"/> <input type="text" value="R"/> <input type="text" value="U"/> <input type="text" value="C"/> <input type="text" value="T"/> <input type="text" value="I"/> <input type="text" value="O"/> <input type="text" value="N"/> <input type="text" value="1"/> <input type="text" value="A"/> <input type="text" value="C"/> <input type="text" value="R"/> <input type="text" value="E"/>					
Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved	
67 <input type="text"/> <input type="text"/> <input type="text"/> 69	70 <input type="text" value="3"/>	71 <input type="text" value="N"/>	72 <input type="text" value="N"/>	73 <input type="text"/>	74 <input type="text"/>
				75 <input type="text"/>	80 <input type="text"/>

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) SUNSET ELEMENTARY, ROSWELL, CHAVES COUNTY; FROM US 70, HEAD SOUTH ON S. MAIN STREET, AND THEN WEST ON O'CONNOR RD. SITE IS ON THE NORTH SIDE OF THE ROAD.	Entry Time /Date 1115 HOURS / 10-8-2010	Permit Effective Date 7-1-2008
	Exit Time/Date 1240 HOURS / 10-8-2010	Permit Expiration Date 6-30-2011
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) MR. BYRON HOLLOWAY, HOLLOWAY CONSTRUCTION (575) 622-6808 MS. JANA LESSARD, PROJECT MANAGER, CONSTRUCTORS INC., (575) 622-1080	Other Facility Data GPS: N. 33° 19' 42.84" W. -104° 31' 51.36" SIC:1542	
Name, Address of Responsible Official/Title/Phone and Fax Number MR. MICHAEL GOTTLIEB, SUPERINTENDENT, ROSWELL INDEPENDENT SCHOOL DISTRICT (575) 627-2511 300 NORTH KENTUCKY AVE., ROSWELL, NM 88201	Contacted Yes <input type="checkbox"/> No <input type="checkbox"/> *	

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

<input type="text" value="U"/>	Permit	<input type="text" value="N"/>	Flow Measurement	<input type="text" value="N"/>	Operations & Maintenance	<input type="text" value="N"/>	CSO/SSO
<input type="text" value="M"/>	Records/Reports	<input type="text" value="N"/>	Self-Monitoring Program	<input type="text" value="N"/>	Sludge Handling/Disposal	<input type="text" value="N"/>	Pollution Prevention
<input type="text" value="S"/>	Facility Site Review	<input type="text" value="N"/>	Compliance Schedules	<input type="text" value="N"/>	Pretreatment	<input type="text" value="N"/>	Multimedia
<input type="text" value="N"/>	Effluent/Receiving Waters	<input type="text" value="N"/>	Laboratory	<input type="text" value="M"/>	Storm Water	<input type="text" value="N"/>	Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

- INSPECTOR ARRIVED ON SITE AT 1115 HOURS ON 10-8-2010. CONDUCTED ENTRANCE INTERVIEW WITH MR. BYRON HOLLOWAY, DURING WHICH THE INSPECTOR MADE INTRODUCTIONS, SHOWED CREDENTIALS AND EXPLAINED THE PURPOSE OF THE INSPECTION.
- SEE ATTACHED REPORT AND CHECKLIST.
- THIS REPORT IS BASED ON REVIEW OF FILES MAINTAINED BY THE PERMITTEE AND NMED, ON SITE OBSERVATION BY NMED PERSONNEL, AND VERBAL INFORMATION PROVIDED BY THE FACILITY'S REPRESENTATIVE.
- AN EXIT INTERVIEW TO DISCUSS THE PRELIMINARY FINDINGS OF THIS INSPECTION WAS CONDUCTED WITH MR. HOLLOWAY AND MS. JANA LESSARD OF CONSTRUCTORS, INC., FROM APPROXIMATELY 1230-1240 HOURS ON 10-8-2010 AT THE SITE.

Name(s) and Signature(s) of Inspector(s) SARAH HOLCOMB /s/ Sarah Holcomb	Agency/Office/Telephone/Fax NMED/SWQB 505-222-9587	Date 10-22-2010
Signature of Management QA Reviewer RICHARD POWELL /s/ Richard Powell	Agency/Office/Phone and Fax Numbers NMED/SWQB 505-827-2798	Date 10-22-2010

National Database Information		General	
Inspection Type	Compliance Evaluation	Inspector Name	Sarah Holcomb
NPDES ID Number	NMR10H143/NMR10H312	Telephone	(505) 222-9587
Inspection Date	10-8-2010	Entry Time	1115 hours, 10-8-2010
Inspector Type (circle one)	EPA <input type="checkbox"/> State <input type="checkbox"/> EPA Oversight <input type="checkbox"/>	Exit Time	1240 hours, 10-8-2010
Facility Type (circle one)	<input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial Residential Municipal	Signature	/s/ Sarah Holcomb

Facility Location Information					
Name/Location/ Mailing Address	Sunset Elementary Near US Hwy 70, on O'Connor Mailing: P.O. Box 1571, Roswell, NM 88210				
GPS Coordinates	Latitude	N. 33° 19' 42.84"	Longitude	W. -104° 31' 51.36"	
Receiving Water(s)	Berrendo Creek thence to the Pecos River in 20.6.4.206 NMAC				
Disturbed Area	~ 1 acre	Start Date	8-3-2010	Stop Date	7-14-2011

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Roswell Independent School District – owner Holloway Construction Co., Inc. – general contractor	
Facility Contact	Mr. Byron Holloway, Holloway Construction (HC)	575-622-6808
Authorized Official(s)	Mr. Wesley Holloway, President (HC) Mr. Michael Gottlieb, Superintendent, Roswell Independent School District (RISD)	575-622-6808 575-627-2511

Site Information: (circle all that apply)							
Nature of Project	Residential	<input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial	Roadway	Private	Federal	State/ <input checked="" type="checkbox"/> Municipal	Other
Construction Stage	Clearing/ Grubbing	Rough Grading	<input checked="" type="checkbox"/> Infrastructure	Building Const.	<input checked="" type="checkbox"/> Final Grading	Final Stabilization	

Basic Permit Information			Basic SWPPP Information		
Permit Coverage <i>ESO Element 3 & 4</i>	<input checked="" type="checkbox"/>	N	SWPPP Prepared & Available <i>ESO Element 5 & 30</i>	<input checked="" type="checkbox"/>	N
Permit Type	<input checked="" type="checkbox"/> General	Individual	SWPPP Contents Satisfactory <i>ESO Elements 5 - 31</i>	Y	<input checked="" type="checkbox"/>
Permit notice/sign visibly posted including: copy of NOI, contact name & phone number, location of SWPPP <i>ESO Element 41</i>	<input checked="" type="checkbox"/> (HC)	<input checked="" type="checkbox"/> (RISD)	SWPPP Implementation Satisfactory <i>ESO Elements 32 - 48</i>	Y	<input checked="" type="checkbox"/>
NOI Date	7-7-2010 (HC)	8-19-2010 (RISD)	SWPPP Date	6-29-2010	
If applicable, is waiver certification & approval on file?	Y	N	<i>Intentionally left blank</i>		

SWPPP Review (can be completed in office)				
General			Notes:	
Is there a SWPPP? <i>ESO Element 5</i>	<input checked="" type="checkbox"/>	N		
SWPPP completed prior to NOI submission? <i>ESO Element 6</i>	<input checked="" type="checkbox"/>	N		
Copy of permit language? <i>ESO Element 25</i>	<input checked="" type="checkbox"/>	N		
Is SWPPP consistent with state/tribal/local regulations and permits? <i>ESO Element 26</i>	Y	<input checked="" type="checkbox"/>	RUSLE calculations were not included in the SWPPP, because disturbed site was only about an acre's worth of disturbance.	
SWPPP updated to incorporate changes to State, Tribal, Local erosion plans? <i>ESO Element 27</i>	Y	<input checked="" type="checkbox"/>		
Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires? <i>ESO Element 28</i>	<input checked="" type="checkbox"/>	N		
Is a copy of the SWPPP on site or made available? <i>ESO Element 30</i>	<input checked="" type="checkbox"/>	N	On site.	
Did all "operators" sign/certify the SWPPP? <i>ESO Element 31</i>	Y	<input checked="" type="checkbox"/>	Mr. Byron Holloway signed on 7-7-10 for Holloway Construction. Mr. David Eldridge, Construction Director, signed on 8-19-2010 for RISD without an authorization letter from the Superintendent.	

<u>Site Description</u>		Notes:	
SWPPP identifies potential sources of pollution? <i>ESO Element 7</i>	<input checked="" type="checkbox"/>	N	Clearing, grading, excavation/unstabilized areas, paving, vehicle use/storage.
SWPPP identifies all operators and their areas of control? <i>ESO Element 8</i>	<input checked="" type="checkbox"/>	N	Owner – RISD Operator – Holloway Construction Company. Inc.
Is there a site description? <i>ESO Element 9</i>	<input checked="" type="checkbox"/>	N	
Nature/sequence of construction activity? <i>ESO Element 9A - 9B</i>	<input checked="" type="checkbox"/>	N	A general sequence was included.
Total area of site and total area to be disturbed? <i>ESO Element 9C</i>	<input checked="" type="checkbox"/>	N	3 acres/3 acres
Is there a general location map? <i>ESO Element 9D</i>	<input checked="" type="checkbox"/>	N	
Is there a site map? <i>ESO Element 9E</i>	<input checked="" type="checkbox"/>	N	
Drainage patterns/outfalls on site map? <i>ESO Element 9F</i>	Y	<input checked="" type="checkbox"/>	
Area of soil disturbance on site map? <i>ESO Element 9F</i>	<input checked="" type="checkbox"/>	N	
Location of major structural controls on site map? <i>ESO Element 9F</i>	<input checked="" type="checkbox"/>	N	
Location of storm water discharges to a surface water on site map? <i>ESO Element 9F</i>	Y	<input checked="" type="checkbox"/>	
Location of materials or equipment storage on site map (on-site or off-site)? <i>ESO Element 9F</i>	Y	N	N/A
Location/description industrial activities? <i>ESO Element 9G</i>	Y	N	N/A
Name of Receiving water(s) or MS4 listed?	Y	<input checked="" type="checkbox"/>	<i>Note: Indicate whether receiving water is 303(d) listed.</i> Berrendo Creek thence to Pecos River in 20.6.4.206 NMAC (yes for secondary contact and warmwater aquatic life)
Does the SWPPP include dates of major grading activities, temporary/permanent construction cessation, and initiation of stabilization practices? <i>ESO Element 14</i>	<input checked="" type="checkbox"/>	N	
Endangered Species Documentation? <i>ESO Element 23</i>	<input checked="" type="checkbox"/>	N	

Controls to Reduce Pollutants		Notes:	
Does the SWPPP include a description of all pollution control measures (BMPs) that will be implemented to control pollutants in storm water discharges, including sequence and which operator responsible for implementation? <i>ESO Element 10 A – C</i>	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP include a description of interim and permanent <i>stabilization practices</i> (e.g., seeding, mulching, riprap for the site)? <i>ESO Element 11; 12</i>	Y	<input checked="" type="checkbox"/> N	Paving was discussed for permanent stabilization. No discussion was given for interim stabilization.
Does the SWPPP identify the contractor(s) and timing by which <i>stabilization practices</i> will be implemented? <i>ESO Element 13</i>	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP include a description of <i>structural practices</i> (e.g., vehicle track-out, silt fences, sediment traps, storm drain inlet protection) for the site? <i>ESO Element 15</i>	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP identify the contractor(s) and timing by which <i>structural practices</i> will be implemented? <i>ESO Element 10B - 10C</i>	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP identify storm water management measures to address storm water runoff once the construction is completed (e.g., retention ponds, velocity dissipation controls)? <i>ESO Element 16</i>	Y	<input checked="" type="checkbox"/> N	
Does SWPPP describe measures to prevent discharge of dredge/fill materials to waters of the U.S.? Does site have 404 permit? <i>ESO Element 17</i>	Y	N	N/A
Does SWPPP describe measures to minimize off-site vehicle tracking and generation of dust? <i>ESO Element 18</i>	<input checked="" type="checkbox"/> Y	N	
Does SWPPP describe controls for pollutants from storage of construction or waste materials? <i>ESO Element 19</i>	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP describe controls for pollutants from non-construction activities? <i>ESO Element 20</i>	Y	N	N/A
Does SWPPP identify allowable non-storm water discharges? <i>ESO Element 21</i>	<input checked="" type="checkbox"/> Y	N	Dust control is the only non-storm water discharge discussed.

Controls to Reduce Pollutants (cont'd)		Notes:
Does SWPPP ensure implementation of pollution prevention measures for non-storm water discharges? <i>ESO Element 22</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
Is SWPPP revised when BMPs added/modified within 7 days after inspection reveals problems? <i>ESO Element 29</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	

Inspections		Notes:
Inspections performed once every 14 days and within 24 hours of a rain event greater 0.5"? <i>ESO Element 32</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	There are at least 3 inspections missing.
Inspections performed by qualified personnel? <i>ESO Element 33</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	No qualifications were listed in the SWPPP for Jana Lessard or Byron Holloway.
All disturbed areas and/or used for storage and exposed to rain inspected? <i>ESO Element 34</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
All pollution control measures inspected to ensure proper operation? <i>ESO Element 35</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
All discharge locations inspected if accessible, or if not accessible, are nearby downstream locations inspected? <i>ESO Element 36; 37</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
Entrance/exit inspected for off-site tracking? <i>ESO Element 38</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
Inspection report contains all required items and certified? <i>ESO Element 39; 40</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	

Notes on SWPPP Review

Site Description:

The Sunset Elementary Project is an expansion of the current school grounds.

The project owner is the Roswell Independent School District (RISD) and the general contractor for the job is Holloway Construction Company, Inc. Jana Lessard of Constructors, Inc. put together the SWPPP for the project and is also conducting required inspections at the site.

Construction at the site started on August 3, 2010. RISD did not obtain permit coverage until August 19, 2010. They also signed on to the SWPPP on that date. The NOI was signed by Mr. Kevin Dillon, Construction Manager, and the SWPPP was signed by Mr. David Eldridge, Maintenance Manager. Because the NOI for RISD was not signed by the proper person, effectively, RISD has not had permit coverage for the entire project. As stated in Appendix G.11.A.3 of the permit, the person signing the NOI must be a principal executive officer or ranking elected official. The most likely person who fits this description from RISD would be the Superintendent. Appendix G.11.B states that reports (including SWPPPs and inspection reports) may be signed by someone other than the responsible corporate officer, but only if authorization is made in writing. There was no authorization letter in the SWPPP for Mr. Eldridge to sign the SWPPP for RISD.

It appeared that a few inspections were missing. Since the project started on 8-3-2010, and the first inspection did not occur until 8-25-10, one inspection is likely missing here. The dates of the other inspections documented in the SWPPP were 8-30-10, 9-10-10 and 10-9-10. Another inspection was missing between the 9-10-10 and 10-9-10 dates. Also, rain event inspections were not being documented. The weather information for the rain event was being recorded on the next biweekly inspection form, but there was not documentation available to show that an inspector was out at the site within 24 hours to ensure that BMPs were functioning properly. Available weather data from wunderground.com shows that approximately 4 events occurred in the area that were > 0.5" in size. Documentation needs to be included in the SWPPP to show an inspection did occur within 24 hours of the rain event.

The facility representative indicated that RUSLE calculations were not included with the SWPPP due to the small size of the project. From the inspector's knowledge, there is no limiting factor on the size of the project with respect to ability to generate a number from the RUSLE model.

SWPPP Implementation *(complete in field)*

Stabilization Practices

List and describe stabilization practices
ESO Element 43, 48

(e.g., seeding, mulching, geotextiles, sod stabilization)

No stabilization had taken place as of the time of this inspection.

Are stabilization measures initiated no more than 14 days after temporary or permanent construction cessation?
ESO Element 46

(e.g., indicate “yes” or “no”; if “yes”, how long without stabilization measures?)

There has not been a period during construction where sites were left unworked for more than two weeks.

Structural Practices

List and describe structural controls
ESO Element 42, 43, 47

(e.g., silt fences, hay bales, storm drain inlet protection, sedimentation pond, rip rap, check dam, diversion structure, off-site vehicle track-out)

1. Silt fence
2. Stabilized construction entrances

Non-Structural Practices

Street Cleaning
ESO Element 44

(e.g., describe measures taken to remove offsite accumulation of sediment)

Streets are swept as needed.

NPDES Industrial Storm Water Worksheet (Construction)

<u>Non-Structural Practices</u>	
Good Housekeeping & Waste Disposal Practices <i>ESO Element 45</i>	<i>(e.g., describe measures taken to prevent litter and debris from becoming a pollutant source)</i> Lunch trash is picked up daily.
Equipment Wash/Maintenance Area <i>ESO Elements 43</i>	<i>(provide brief description)</i> N/A
Concrete Washout Areas <i>ESO Elements 43</i>	<i>(provide brief description)</i> No concrete washout located on site at this time.
<u>Miscellaneous</u>	
Evidence of Sediment Deposition to Surface Waters <i>*ESO Eligibility - if "yes," site not eligible for ESO</i>	<i>(e.g., significant turbidity observed in a receiving water body)</i> No, no sediment deposition observed offsite.
Pollution prevention measures for non-storm water discharges? <i>*ESO Eligibility - If evidence of non-allowable non-storm water discharges, site not eligible for ESO</i>	<i>(provide brief description and determine whether/if non-storm water discharges allowable)</i> No non-stormwater discharges were observed during this inspection.
Has implementation of additional/modified BMPs been completed before next anticipated storm event? <i>ESO Element 43.C.1</i>	<i>(provide brief description)</i> As documented in inspection reports, none are required.